



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-34071

JK:cs:nwn

2007 BILL

PAT DON JYKZ

Prepared by the Legislative Reference Bureau under s. 13.93(2)(L) (4), Stats.

- 1 AN ACT; relating to: reconciling outdated Internal Revenue Code references with  
2 changes made by 2007 Wisconsin Act 20 (Revision LRB Correction Bill).

**Analysis by the Legislative Reference Bureau**

This revised correction bill is explained in the NOTES provided by the LRB in the body of the bill.

*More general explanation here?*

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

- 3 **SECTION 1.** 71.26 (2) (b) 12. of the statutes is repealed.

NOTE: This change deletes unnecessary references to the Internal Revenue Code in order to reconcile the statutes with changes made in 2007 Wisconsin Act 20.

- 4 **SECTION 2.** 71.26 (2) (b) 13. of the statutes is repealed.

NOTE: This change deletes unnecessary references to the Internal Revenue Code in order to reconcile the statutes with changes made in 2007 Wisconsin Act 20.

- 5 **SECTION 3.** 71.26 (2) (b) 14. of the statutes is amended to read:

- 6 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and  
7 before January 1, 2000, for a corporation, conduit or common law trust which

## 2007 Wisconsin Act 20

- 6 -

13.92 (1) (b) 5. In cooperation with the revisor of statutes, prepare Prepare a biennial list of numerical cross-references in the statutes to other parts of the statutes.

**SECTION 17fe.** 13.92 (2) (g) of the statutes is repealed.

**SECTION 17fh.** 13.92 (3) of the statutes is renumbered 13.92 (3) (a).

**SECTION 17fm.** 13.92 (3) (b) of the statutes is created to read:

13.92 (3) (b) Notwithstanding s. 230.08 (2) (fc), those employees holding positions in the classified service at the revisor of statutes bureau on the effective date of this paragraph .... [revisor inserts date], who have achieved permanent status in class before that date, if they become employed by the legislative reference bureau under 2007 Wisconsin Act .... (this act), section 9130 (1f) (d) 1. or 2., shall retain, while serving in the unclassified service at the legislative reference bureau, those protections afforded employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff, or reduction in base pay. Each such employee shall also have reinstatement privileges to the classified service as provided under s. 230.31 (1) and any other reinstatement privileges or restoration rights provided under an applicable collective bargaining agreement under subch. V of ch. 111 covering the employee on the effective date of this paragraph .... [revisor inserts date].

**SECTION 17fr.** 13.93 (intro.) of the statutes is repealed.

**SECTION 17he.** 13.93 (1) of the statutes is renumbered 13.92 (1) (bm), and 13.92 (1) (bm) (intro.), 2. and 13. (intro.), as renumbered, are amended to read:

13.92 (1) (bm) *Duties of the bureau Revision of statutes.* (intro.) The revisor of statutes legislative reference bureau shall prepare copy for the biennial Wisconsin statutes, and for this purpose it:

2. May renumber any chapter or section of the statutes for the purpose of revision, and shall change reference numbers to agree with any renumbered chapter or section. Where the term "preceding section" or similar expressions are used in the statutes the revisor of statutes bureau may change the same by inserting the proper section or chapter reference.

13. (intro.) Shall, whenever any statute is affected by any act of the legislature, and may, at the revisor's bureau's discretion, ensure that the statutory language does not discriminate on the basis of sex by making the following corrections, which shall have no substantive effect:

**SECTION 17hr.** 13.93 (1m) of the statutes is repealed.

**SECTION 17je.** 13.93 (2) (intro.) of the statutes is repealed.

**SECTION 17jr.** 13.93 (2) (a) of the statutes is repealed.

**SECTION 17Le.** 13.93 (2) (b) of the statutes is repealed.

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**SECTION 17Lr.** 13.93 (2) (c) of the statutes is renumbered 13.92 (2) (i) and amended to read:

13.92 (2) (i) Serve as editor of the biennial Wisconsin statutes. In preparing each edition, if 2 or more acts of a legislative session affect the same statutory unit without taking cognizance of the effect thereon of the other acts and if the revisor chief finds that there is no mutual inconsistency in the changes made by each such act, the revisor chief shall incorporate the changes made by each act into the text of the statutory unit and document the incorporation in a note to the section. For each such incorporation, the revisor chief shall include in a correction bill a provision formally validating the incorporation. Section 990.07 is not affected by printing decisions made by the revisor chief under this paragraph.

**SECTION 17ne.** 13.93 (2) (d) of the statutes is renumbered 13.92 (2) (j).

**SECTION 17nr.** 13.93 (2) (e) of the statutes is renumbered 13.92 (2) (jm) and amended to read:

13.92 (2) (jm) Attend all scheduled meetings and serve as the nonvoting secretary of the committee for review of administrative rules under s. 13.56. The chief of the legislative reference bureau may designate an employee to perform the duties under this paragraph.

**SECTION 17pe.** 13.93 (2) (f) of the statutes is repealed.

**SECTION 17pr.** 13.93 (2) (g) of the statutes is repealed.

**SECTION 17re.** 13.93 (2) (h) of the statutes is renumbered 13.92 (2) (k).

**SECTION 17rr.** 13.93 (2) (i) of the statutes is repealed.

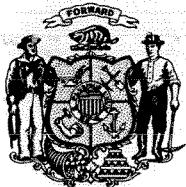
**SECTION 17te.** 13.93 (2) (j) of the statutes is renumbered 13.92 (2) (L) and amended to read:

13.92 (2) (L) In cooperation with the law revision committee, systematically examine and identify for revision by the legislature the statutes and session laws to eliminate defects, anachronisms, conflicts, ambiguities, and unconstitutional or obsolete provisions. The revisor chief shall prepare and, at each session of the legislature, present to the law revision committee bills that eliminate identified defects, anachronisms, conflicts, ambiguities, and unconstitutional or obsolete provisions. These bills may include minor substantive changes in the statutes and session laws necessary to accomplish the purposes of this paragraph. The revisor chief may resubmit to the law revision committee in subsequent sessions of the legislature any bill prepared under this paragraph that was not enacted.

**SECTION 17tr.** 13.93 (2) (k) of the statutes is repealed.

**SECTION 17ve.** 13.93 (2m) of the statutes is renumbered 13.92 (4), and 13.92 (4) (title), (a), (b) (intro.), (c), (d), (e) and (f), as renumbered, are amended to read:

13.92 (4) (title) **DUTIES OF REVISOR AND BUREAU**, WISCONSIN ADMINISTRATIVE CODE. (a) The revisor of statutes bureau legislative reference bureau shall prepare copy for publication in the Wisconsin administrative code.



# State of Wisconsin

## 2007 - 2008 LEGISLATURE

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LRB-3407/1

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*WISCONSIN  
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## 2007 BILL

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- prepared by the Legislative Reference Bureau under s. 13.93 (2) (v)*
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- 1 AN ACT; relating to: reconciling outdated Internal Revenue Code references with  
2 changes made by 2007 Wisconsin Act 20 (Revisor's Correction Bill).

### *Analysis by the Legislative Reference Bureau*

This revisor's correction bill is explained in the NOTES provided by the revisor of statutes in the body of the bill.

*The people of the state of Wisconsin, represented in senate and assembly, do  
enact as follows:*

- 3 SECTION 1. 71.26 (2) (b) 12. of the statutes is repealed.

NOTE: This change deletes unnecessary references to the Internal Revenue Code in order to reconcile the statutes with changes made in 2007 Wisconsin Act 20.

- 4 SECTION 2. 71.26 (2) (b) 13. of the statutes is repealed.

NOTE: This change deletes unnecessary references to the Internal Revenue Code in order to reconcile the statutes with changes made in 2007 Wisconsin Act 20.

- 5 SECTION 3. 71.26 (2) (b) 14. of the statutes is amended to read:

- 6 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and  
7 before January 1, 2000, for a corporation, conduit or common law trust which

**BILL**

1 qualifies as a regulated investment company, real estate mortgage investment  
2 conduit, real estate investment trust or financial asset securitization investment  
3 trust under the Internal Revenue Code as amended to December 31, 1998, excluding  
4 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
5 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
6 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230,  
7 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
8 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101, 301  
9 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding  
10 section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 316, 401,  
11 and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 211, 242,  
12 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-135,  
13 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
14 (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844  
15 of P.L. 109-280, and as indirectly affected in the provisions applicable to this  
16 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
17 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
18 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
19 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
20 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
21 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
22 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
23 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
24 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,  
25 excluding sections 101, 301 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-276,

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1 P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections  
2 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding  
3 sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L.  
4 109-7, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S  
5 (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding  
6 sections 811 and 844 of P.L. 109-280, "net income" means the federal regulated  
7 investment company taxable income, federal real estate mortgage investment  
8 conduit taxable income, federal real estate investment trust or financial asset  
9 securitization investment trust taxable income of the corporation, conduit or trust  
10 as determined under the Internal Revenue Code as amended to December 31, 1998,  
11 excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171  
12 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311,  
13 and 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L.  
14 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
15 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
16 101, 301 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121,  
17 excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308,  
18 316, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201,  
19 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L.  
20 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
21 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections  
22 811 and 844 of P.L. 109-280, and as indirectly affected in the provisions applicable  
23 to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
24 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
25 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding

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sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101, 301 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L.

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1       107-16, P.L. 107-134, P.L. 107-147, excluding sections 101, 301 (a), and 406 of P.L.  
2       107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding section 109 of P.L.  
3       108-121, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L.  
4       108-311, and P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422,  
5       847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-135, excluding sections 101,  
6       105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of  
7       P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and  
8       as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,  
9       P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,  
10      P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
11      102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
12      13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
13      104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
14      (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
15      105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
16      106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
17      section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101, 301  
18      (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding  
19      section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 316, 401,  
20      and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 211, 242,  
21      244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-135,  
22      excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
23      (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844  
24      of P.L. 109-280, applies for Wisconsin purposes at the same time as for federal  
25      purposes. Amendments to the Internal Revenue Code enacted after December 31,

1       1998, do not apply to this subdivision with respect to taxable years that begin after  
2       December 31, 1998, and before January 1, 2000, except that changes to the Internal  
3       Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
4       excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
5       of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101, 301 (a), and 406  
6       of P.L. 107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding section 109 of  
7       P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a)  
8       of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336,  
9       337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-135, excluding  
10      sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
11      (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L.  
12      109-280, and changes that indirectly affect the provisions applicable to this  
13      subchapter made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
14      excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
15      of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101, 301 (a), and 406  
16      of P.L. 107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding section 109 of  
17      P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a)  
18      of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336,  
19      337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-135, excluding  
20      sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
21      (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L.  
22      109-280, apply for Wisconsin purposes at the same time as for federal purposes.

NOTE: This section is amended to reflect the changes made in 2007 Wisconsin Act  
20 with regard to references to the Internal Revenue Code and to reconcile this section  
with those changes.

23      **SECTION 4.** 71.26 (2) (b) 15. of the statutes is amended to read:

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1           **71.26 (2) (b) 15.** For taxable years that begin after December 31, 1999, and  
2 before January 1, 2003, for a corporation, conduit or common law trust which  
3 qualifies as a regulated investment company, real estate mortgage investment  
4 conduit, real estate investment trust or financial asset securitization investment  
5 trust under the Internal Revenue Code as amended to December 31, 1999, excluding  
6 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
7 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
8 1605 (d) of P.L. 104-188, and as amended by P.L. 106-230, P.L. 106-554, excluding  
9 sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431  
10 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding  
11 sections 101, 301 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.  
12 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.  
13 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-218, P.L.  
14 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, and  
15 P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
16 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309,  
17 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L.  
18 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
19 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections  
20 811 and 844 of P.L. 109-280, and as indirectly affected in the provisions applicable  
21 to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
22 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
23 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
24 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
25 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections

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1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101, 301 (a),  
and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L.  
108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding  
section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307,  
308, 316, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L.  
109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201  
(a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.  
109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, “net  
income” means the federal regulated investment company taxable income, federal  
real estate mortgage investment conduit taxable income, federal real estate  
investment trust or financial asset securitization investment trust taxable income  
of the corporation, conduit or trust as determined under the Internal Revenue Code  
as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.  
106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22,  
P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101, 301 (a), and 406 of  
P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,

**BILL**

1 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
2 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308,  
3 316, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201,  
4 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L.  
5 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
6 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201  
7 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.  
8 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and as  
9 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
10 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
11 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
12 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
13 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
14 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
15 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
16 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
17 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
18 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
19 107-147, excluding sections 101, 301 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L.  
20 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and  
21 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-218,  
22 P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311,  
23 and P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909,  
24 and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308,  
25 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L.

**BILL**

1       109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
2       (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections  
3       811 and 844 of P.L. 109-280, except that property that, under s. 71.02 (1) (c) 8. to 11.,  
4       1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the  
5       Internal Revenue Code as amended to December 31, 1980, shall continue to be  
6       depreciated under the Internal Revenue Code as amended to December 31, 1980,  
7       and except that the appropriate amount shall be added or subtracted to reflect  
8       differences between the depreciation or adjusted basis for federal income tax  
9       purposes and the depreciation or adjusted basis under this chapter of any property  
10      disposed of during the taxable year. The Internal Revenue Code as amended to  
11      December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
12      13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and sections 1123  
13      (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L.  
14      106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,  
15      P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.  
16      107-134, P.L. 107-147, excluding sections 101, 301 (a), and 406 of P.L. 107-147, P.L.  
17      107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections  
18      106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121,  
19      P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a)  
20      of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336,  
21      337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding  
22      sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351  
23      of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
24      section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L.  
25      109-280, excluding sections 811 and 844 of P.L. 109-280, and as indirectly affected

**BILL**

1 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.  
2 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
3 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
5 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
6 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
8 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
9 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding  
10 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,  
11 excluding sections 101, 301 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210,  
12 P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.  
13 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-218, P.L.  
14 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, and  
15 P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
16 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309,  
17 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L.  
18 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
19 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections  
20 811 and 844 of P.L. 109-280, applies for Wisconsin purposes at the same time as for  
21 federal purposes. Amendments to the Internal Revenue Code enacted after  
22 December 31, 1999, do not apply to this subdivision with respect to taxable years that  
23 begin after December 31, 1999, and before January 1, 2003, except that changes to  
24 the Internal Revenue Code made by P.L. 106-230, P.L. 106-554, excluding sections  
25 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.

1       107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections  
2       101, 301 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.  
3       107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.  
4       108-121, excluding section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311,  
5       excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, and P.L.  
6       108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
7       of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,  
8       1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135,  
9       excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
10      (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844  
11      of P.L. 109-280, and changes that indirectly affect the provisions applicable to this  
12      subchapter made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
13      P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
14      107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101, 301 (a),  
15      and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L.  
16      108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding  
17      section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307,  
18      308, 316, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
19      201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L.  
20      109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
21      1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201  
22      (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.  
23      109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, apply for  
24      Wisconsin purposes at the same time as for federal purposes.

**BILL**

NOTE: This section is amended to reflect the changes made in 2007 Wisconsin Act 20 with regard to references to the Internal Revenue Code and to reconcile this section with those changes.

1           **SECTION 5.** 71.26 (2) (b) 16. of the statutes is amended to read:

2           **71.26 (2) (b) 16.** For taxable years that begin after December 31, 2002, and  
3 before January 1, 2004, for a corporation, conduit, or common law trust which  
4 qualifies as a regulated investment company, real estate mortgage investment  
5 conduit, real estate investment trust, or financial asset securitization investment  
6 trust under the Internal Revenue Code as amended to December 31, 2002, excluding  
7 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
8 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
9 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L.  
10 106-573, section 431 of P.L. 107-16, and section sections 101 and 301 (a) of P.L.  
11 107-147, and as amended by P.L. 108-27, excluding sections 106, 201, and 202 of P.L.  
12 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding  
13 section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding  
14 sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding  
15 sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, and  
16 P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,  
17 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135,  
18 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
19 (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844  
20 of P.L. 109-280, and as indirectly affected in the provisions applicable to this  
21 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
22 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
23 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections

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1       13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
2       103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
3       (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
4       105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
5       106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
6       P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.  
7       107-116, P.L. 107-134, P.L. 107-147, excluding section sections 101 and 301 (a) of  
8       P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
9       excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
10      109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
11      108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and  
12      403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336,  
13      337, 422, 847, 909, and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L.  
14      109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
15      1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201  
16      (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.  
17      109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, “net  
18      income” means the federal regulated investment company taxable income, federal  
19      real estate mortgage investment conduit taxable income, federal real estate  
20      investment trust or financial asset securitization investment trust taxable income  
21      of the corporation, conduit, or trust as determined under the Internal Revenue Code  
22      as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
23      102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
24      sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,  
25      sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and

**BILL**

1 section sections 101 and 301 (a) of P.L. 107-147, and as amended by P.L. 108-27,  
2 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
3 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
4 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and  
5 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336,  
6 337, 422, 847, 909, and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L.  
7 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
8 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201  
9 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.  
10 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and as  
11 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
12 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
13 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
14 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
15 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
16 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
17 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
18 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
19 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
20 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
21 107-147, excluding section sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181,  
22 P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201,  
23 and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.  
24 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L.  
25 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L.

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108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305,  
1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58,  
P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a),  
402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding  
sections 811 and 844 of P.L. 109-280, except that property that, under s. 71.02 (1) (c)  
8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986  
under the Internal Revenue Code as amended to December 31, 1980, shall continue  
to be depreciated under the Internal Revenue Code as amended to  
December 31, 1980, and except that the appropriate amount shall be added or  
subtracted to reflect differences between the depreciation or adjusted basis for  
federal income tax purposes and the depreciation or adjusted basis under this  
chapter of any property disposed of during the taxable year. The Internal Revenue  
Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,  
sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and  
section sections 101 and 301 (a) of P.L. 107-147, and as amended by P.L. 108-27,  
excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and  
403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336,  
337, 422, 847, 909, and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L.  
109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201

**BILL**

1       (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.  
2       109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and as  
3       indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
4       100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
5       101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
6       102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
7       13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
8       104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
9       (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
10      105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
11      106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
12      excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
13      107-147, excluding section sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181,  
14      P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201,  
15      and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.  
16      108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L.  
17      108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L.  
18      108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910  
19      of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305,  
20      1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58,  
21      P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a),  
22      402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding  
23      sections 811 and 844 of P.L. 109-280, applies for Wisconsin purposes at the same time  
24      as for federal purposes. Amendments to the Internal Revenue Code enacted after  
25      December 31, 2002, do not apply to this subdivision with respect to taxable years that

begin after December 31, 2002, and before January 1, 2004, except that changes to the Internal Revenue Code made by P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, apply for Wisconsin purposes at the same time as for federal purposes.

NOTE: This section is amended to reflect the changes made in 2007 Wisconsin Act 20 with regard to references to the Internal Revenue Code and to reconcile this section with those changes.

✓

23           **SECTION 6.** 71.26 (2) (b) 17. of the statutes is amended to read:

**BILL**

1           **71.26 (2) (b) 17.** For taxable years that begin after December 31, 2003, and  
2 before January 1, 2005, for a corporation, conduit, or common law trust which  
3 qualifies as a regulated investment company, real estate mortgage investment  
4 conduit, real estate investment trust, or financial asset securitization investment  
5 trust under the Internal Revenue Code as amended to December 31, 2003, excluding  
6 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
7 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
8 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L.  
9 106-573, section 431 of P.L. 107-16, ~~section sections 101 and 301 (a)~~ of P.L. 107-147,  
10 sections 106, 201, and 202 of P.L. 108-27, section 109 of P.L. 108-121, and section  
11 1201 of P.L. 108-173, and as amended by P.L. 108-203, P.L. 108-218, P.L. 108-311,  
12 excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
13 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
14 108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections  
15 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
16 109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding  
17 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
18 (q), and 405 of P.L. 109-135, P.L. 109-227, and P.L. 109-280, excluding sections 811  
19 and 844 of P.L. 109-280, and as indirectly affected in the provisions applicable to this  
20 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
21 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
22 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
23 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
24 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
25 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.

**BILL**

1       105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
2       106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
3       P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.  
4       107-116, P.L. 107-134, P.L. 107-147, excluding section sections 101 and 301 (a) of  
5       P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
6       excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
7       109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
8       108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and  
9       403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336,  
10      337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L.  
11      109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
12      1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301  
13      of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
14      section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-227,  
15      and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, "net income"  
16      means the federal regulated investment company taxable income, federal real estate  
17      mortgage investment conduit taxable income, federal real estate investment trust  
18      or financial asset securitization investment trust taxable income of the corporation,  
19      conduit, or trust as determined under the Internal Revenue Code as amended to  
20      December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
21      13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
22      1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and  
23      165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section sections 101 and  
24      301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 109 of P.L.  
25      108-121, and section 1201 of P.L. 108-173, and as amended by P.L. 108-203, P.L.

**BILL**

1       108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L.  
2       108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,  
3       909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L.  
4       109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
5       1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L.  
6       109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section  
7       1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-227, and P.L.  
8       109-280, excluding sections 811 and 844 of P.L. 109-280, and as indirectly affected  
9       in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.  
10      100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
11      102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
12      102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
13      13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
14      104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
15      104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
16      105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
17      excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding  
18      section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,  
19      excluding section sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L.  
20      107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and  
21      202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173,  
22      excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,  
23      excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
24      excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
25      108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections

**BILL**

1       1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
2       109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding  
3       sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
4       (q), and 405 of P.L. 109-135, P.L. 109-227, and P.L. 109-280, excluding sections 811  
5       and 844 of P.L. 109-280, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985  
6       stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal  
7       Revenue Code as amended to December 31, 1980, shall continue to be depreciated  
8       under the Internal Revenue Code as amended to December 31, 1980, and except that  
9       the appropriate amount shall be added or subtracted to reflect differences between  
10      the depreciation or adjusted basis for federal income tax purposes and the  
11      depreciation or adjusted basis under this chapter of any property disposed of during  
12      the taxable year. The Internal Revenue Code as amended to December 31, 2003,  
13      excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171  
14      (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
15      1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L.  
16      106-573, section 431 of P.L. 107-16, section sections 101 and 301 (a) of P.L. 107-147,  
17      sections 106, 201, and 202 of P.L. 108-27, section 109 of P.L. 108-121, and section  
18      1201 of P.L. 108-173, and as amended by P.L. 108-203, P.L. 108-218, P.L. 108-311,  
19      excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
20      excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
21      108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections  
22      1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
23      109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding  
24      sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
25      (q), and 405 of P.L. 109-135, P.L. 109-227, and P.L. 109-280, excluding sections 811

**BILL**

1       and 844 of P.L. 109-280, and as indirectly affected in the provisions applicable to this  
2       subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
3       P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
4       and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
5       13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
6       103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
7       (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
8       105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
9       106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
10      P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.  
11      107-116, P.L. 107-134, P.L. 107-147, excluding section sections 101 and 301 (a) of  
12      P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
13      excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
14      109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
15      108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and  
16      403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336,  
17      337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L.  
18      109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
19      1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301  
20      of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
21      section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-227,  
22      and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, applies for  
23      Wisconsin purposes at the same time as for federal purposes. Amendments to the  
24      Internal Revenue Code enacted after December 31, 2003, do not apply to this  
25      subdivision with respect to taxable years that begin after December 31, 2003, and

**BILL**

1 before January 1, 2005, except that changes to the Internal Revenue Code made by  
2 P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401,  
3 and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244,  
4 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L.  
5 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
6 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301  
7 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
8 section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-227,  
9 and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and changes that  
10 indirectly affect the provisions applicable to this subchapter made by P.L. 108-203,  
11 P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a)  
12 of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337,  
13 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7,  
14 P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
15 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L.  
16 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section  
17 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-227, and P.L.  
18 109-280, excluding sections 811 and 844 of P.L. 109-280, apply for Wisconsin  
19 purposes at the same time as for federal purposes.

NOTE: This section is amended to reflect the changes made in 2007 Wisconsin Act  
20 with regard to references to the Internal Revenue Code and to reconcile this section  
with those changes.

20 **SECTION 7.** 71.26 (2) (b) 18. of the statutes is amended to read:

21 71.26 (2) (b) 18. For taxable years that begin after December 31, 2004, and  
22 before January 1, 2006, for a corporation, conduit, or common law trust which  
23 qualifies as a regulated investment company, real estate mortgage investment

**BILL**

1 conduit, real estate investment trust, or financial asset securitization investment  
2 trust under the Internal Revenue Code as amended to December 31, 2004, excluding  
3 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
4 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
5 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165  
6 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section sections 101 and 301  
7 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L.  
8 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, and sections 101,  
9 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, and as amended  
10 by P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324,  
11 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section  
12 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
13 section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151,  
14 P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L.  
15 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and as  
16 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
17 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
18 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
19 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
20 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
21 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
22 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
23 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
24 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
25 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.

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107-147, excluding section sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181,  
P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201,  
and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.  
108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316,  
401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242,  
244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476,  
P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301  
of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151,  
P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L.  
109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, “net  
income” means the federal regulated investment company taxable income, federal  
real estate mortgage investment conduit taxable income, federal real estate  
investment trust or financial asset securitization investment trust taxable income  
of the corporation, conduit, or trust as determined under the Internal Revenue Code  
as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L.  
102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,  
4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section  
431 of P.L. 107-16, section sections 101 and 301 (a) of P.L. 107-147, sections 106, 201,  
and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and  
403 (a) of P.L. 108-311, and sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909,  
and 910 of P.L. 108-357, and as amended by P.L. 109-7, P.L. 109-58, excluding  
sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351

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1       of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135,  
2       excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
3       (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections  
4       101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L. 109-227, and P.L. 109-280,  
5       excluding sections 811 and 844 of P.L. 109-280, and as indirectly affected in the  
6       provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
7       P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
8       excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
9       103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
10      103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
11      excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
12      104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
13      105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
14      162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
15      107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section  
16      sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276,  
17      P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.  
18      108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.  
19      108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
20      108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,  
21      909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L.  
22      109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
23      1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L.  
24      109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section  
25      1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.

**BILL****SECTION 7**

1       109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L.  
2       109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, except  
3       that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be  
4       depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as  
5       amended to December 31, 1980, shall continue to be depreciated under the Internal  
6       Revenue Code as amended to December 31, 1980, and except that the appropriate  
7       amount shall be added or subtracted to reflect differences between the depreciation  
8       or adjusted basis for federal income tax purposes and the depreciation or adjusted  
9       basis under this chapter of any property disposed of during the taxable year. The  
10      Internal Revenue Code as amended to December 31, 2004, excluding sections 103,  
11      104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
12      (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
13      104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,  
14      P.L. 106-573, section 431 of P.L. 107-16, section sections 101 and 301 (a) of P.L.  
15      107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173,  
16      sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, and sections 101, 201, 211,  
17      242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, and as amended by P.L.  
18      109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
19      1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301  
20      of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
21      section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151,  
22      P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L.  
23      109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and as  
24      indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
25      100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.

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101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2004, do not apply to this subdivision with respect to taxable years that begin after December 31, 2004, and before January 1, 2006, except that changes to the Internal Revenue Code made by P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,

1       1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301  
2       of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
3       section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151,  
4       P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L.  
5       109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and  
6       changes that indirectly affect the provisions applicable to this subchapter made by  
7       P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
8       1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-73, excluding section 301  
9       of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to  
10      section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151,  
11      P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L.  
12      109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, apply for  
13      Wisconsin purposes at the same time as for federal purposes.

14                  NOTE: This section is amended to reflect the changes made in 2007 Wisconsin Act  
15                  20 with regard to references to the Internal Revenue Code and to reconcile this section  
16                  with those changes.

17                  **SECTION 8.** 71.26 (2) (b) 19. of the statutes is created to read:

18                  71.26 (2) (b) 19. For taxable years that begin after December 31, 2005, and  
19                  before January 1, 2007, for a corporation, conduit, or common law trust which  
20                  qualifies as a regulated investment company, real estate mortgage investment  
21                  conduit, real estate investment trust, or financial asset securitization investment  
22                  trust under the Internal Revenue Code as amended to December 31, 2005, excluding  
23                  sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
24                  13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
25                  1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165  
26                  of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of

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1 P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173,  
2 sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 201, 211, 242,  
3 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308,  
4 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58,  
5 section 11146 of P.L. 109-59, section 301 of P.L. 109-73, and sections 101, 105, 201  
6 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.  
7 109-135, and as amended by P.L. 109-222, excluding sections 101, 207, 209, 503,  
8 512, and 513 of P.L. 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811  
9 and 844 of P.L. 109-280, and as indirectly affected in the provisions applicable to this  
10 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
11 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
12 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
13 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
14 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
15 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
16 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
17 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
18 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.  
19 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.  
20 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
21 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,  
22 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,  
23 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
24 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
25 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections

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1       1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
2       109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding  
3       section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it  
4       relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.  
5       109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.  
6       109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L.  
7       109-280, "net income" means the federal regulated investment company taxable  
8       income, federal real estate mortgage investment conduit taxable income, federal real  
9       estate investment trust or financial asset securitization investment trust taxable  
10      income of the corporation, conduit, or trust as determined under the Internal  
11      Revenue Code as amended to December 31, 2005, excluding sections 103, 104, and  
12      110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
13      103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
14      sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L.  
15      106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections  
16      106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316,  
17      401, and 403 (a) of P.L. 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847,  
18      909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324,  
19      1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59,  
20      section 301 of P.L. 109-73, and sections 101, 105, 201 (a) as it relates to section 1400S  
21      (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and as amended by P.L.  
22      109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L.  
23      109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, and as  
24      indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
25      100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.

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1       101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
2       102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
3       13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
4       104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
5       (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
6       105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
7       106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
8       excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
9       107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L.  
10      107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and  
11      202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.  
12      108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316,  
13      401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242,  
14      244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L.  
15      109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
16      1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146  
17      of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135,  
18      excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
19      (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections  
20      101, 207, 209, 503, 512, and 513 of P.L. 109-222, 109-227, P.L. 109-227, and P.L.  
21      109-280, excluding sections 811 and 844 of P.L. 109-280, except that property that,  
22      under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable  
23      years 1983 to 1986 under the Internal Revenue Code as amended to  
24      December 31, 1980, shall continue to be depreciated under the Internal Revenue  
25      Code as amended to December 31, 1980, and except that the appropriate amount

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shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2005, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, and sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and as amended by P.L. 109–222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L. 109–222, P.L. 109–227, and P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,

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1       excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
2       107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L.  
3       107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and  
4       202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.  
5       108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316,  
6       401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242,  
7       244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L.  
8       109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
9       1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146  
10      of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135,  
11      excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
12      (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections  
13      101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L. 109-227, and P.L. 109-280,  
14      excluding sections 811 and 844 of P.L. 109-280, applies for Wisconsin purposes at the  
15      same time as for federal purposes. Amendments to the Internal Revenue Code  
16      enacted after December 31, 2005, do not apply to this subdivision with respect to  
17      taxable years that begin after December 31, 2005, and before January 1, 2007,  
18      except that changes to the Internal Revenue Code made by P.L. 109-222, excluding  
19      sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L. 109-227, and P.L.  
20      109-280, excluding sections 811 and 844 of P.L. 109-280, and changes that indirectly  
21      affect the provisions applicable to this subchapter made by P.L. 109-222, excluding  
22      sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, P.L. 109-227, and P.L.  
23      109-280, excluding sections 811 and 844 of P.L. 109-280, apply for Wisconsin  
24      purposes at the same time as for federal purposes.

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NOTE: This section is created to reflect the changes made in 2007 Wisconsin Act 20 with regard to references to the Internal Revenue Code and to reconcile this section with those changes.

1       **SECTION 9.** 71.26 (2) (b) 20. of the statutes is created to read:

2       **71.26 (2) (b) 20.** For taxable years that begin after December 31, 2006, for a  
3 corporation, conduit, or common law trust which qualifies as a regulated investment  
4 company, real estate mortgage investment conduit, real estate investment trust, or  
5 financial asset securitization investment trust under the Internal Revenue Code as  
6 amended to December 31, 2006, excluding sections 103, 104, and 110 of P.L. 102-227,  
7 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections  
8 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and  
9 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of  
10 P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of  
11 P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of  
12 P.L. 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
13 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
14 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.  
15 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
16 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of P.L.  
17 109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as indirectly  
18 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
19 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
20 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
21 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
22 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.  
23 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

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1       104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
2       105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
3       excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding  
4       section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,  
5       excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.  
6       107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.  
7       108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
8       108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403  
9       (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337,  
10      422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.  
11      109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
12      1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.  
13      109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding  
14      sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
15      (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,  
16      209, 503, 512, and 513 of P.L. 109-222, P.L. 109-227, and P.L. 109-280, excluding  
17      sections 811 and 844 of P.L. 109-280, "net income" means the federal regulated  
18      investment company taxable income, federal real estate mortgage investment  
19      conduit taxable income, federal real estate investment trust or financial asset  
20      securitization investment trust taxable income of the corporation, conduit, or trust  
21      as determined under the Internal Revenue Code as amended to December 31, 2006,  
22      excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171  
23      (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
24      1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165  
25      of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of

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1 P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173,  
2 sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 201, 211, 242,  
3 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308,  
4 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58,  
5 section 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as  
6 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135,  
7 sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, sections 811 and 844 of P.L.  
8 109-280, and P.L. 109-432, and as indirectly affected in the provisions applicable to  
9 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
10 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
11 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
12 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
13 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
14 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
15 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
16 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
17 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
18 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a)  
19 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
20 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,  
21 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,  
22 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
23 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
24 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections  
25 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.

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1 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding  
2 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it  
3 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.  
4 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.  
5 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L.  
6 109-280, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is  
7 required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue  
8 Code as amended to December 31, 1980, shall continue to be depreciated under the  
9 Internal Revenue Code as amended to December 31, 1980, and except that the  
10 appropriate amount shall be added or subtracted to reflect differences between the  
11 depreciation or adjusted basis for federal income tax purposes and the depreciation  
12 or adjusted basis under this chapter of any property disposed of during the taxable  
13 year. The Internal Revenue Code as amended to December 31, 2006, excluding  
14 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
15 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
16 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165  
17 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of  
18 P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173,  
19 sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 201, 211, 242,  
20 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308,  
21 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58,  
22 section 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as  
23 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135,  
24 sections 101, 207, 209, 503, 512, and 513 of P.L. 109-222, sections 811 and 844 of P.L.  
25 109-280, and P.L. 109-432, and as indirectly affected in the provisions applicable to

**BILL**

1 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
2 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
3 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
4 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
5 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
6 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
7 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
8 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
9 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
10 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a)  
11 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
12 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,  
13 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,  
14 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
15 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
16 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections  
17 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
18 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding  
19 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it  
20 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.  
21 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.  
22 109-222, 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280,  
23 applies for Wisconsin purposes at the same time as for federal purposes.  
24 Amendments to the Internal Revenue Code enacted after December 31, 2006, do not

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1 apply to this subdivision with respect to taxable years that begin after  
2 December 31, 2006.

NOTE: This section is created to reflect the changes made in 2007 Wisconsin Act  
20 with regard to references to the Internal Revenue Code and to reconcile this section  
with those changes.

3

(END)

**Duerst, Christina**

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**From:** Dyke, Don  
**Sent:** Wednesday, January 02, 2008 1:42 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-3407/2 Topic: Correcting the outdated Internal Revenue Code references

Please Jacket LRB 07-3407/2 for the SENATE.

Thanks,  
Don Dyke